

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

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SEP 21 2017

U.S. DISTRICT COURT
MID. DIST. TENN.

ALEXANDER BAXTER

v.

Case No. 3:15-0019

SPENCER HARRIS, et al.

PLAINTIFF'S DECLARATION/AFFIDAVIT OF PERSONAL BIAS OR PREJUDICE
AGAINST HIM OR IN FAVOR OF ADVERSE PARTY
and CERTIFICATE OF COUNSEL (PRO SE) OF RECORD

I, ALEXANDER BAXTER, acting under penalty of perjury,
do hereby swear, affirm, and make oath to the following:

1) That I am the plaintiff in the above-entitled action,
and I make this declaration in support of my Title 28,
§ 144 action.

2) That this action was previously assigned to Honorable
Robert Echols, who unfortunately retired, and was subsequently
re-assigned to Judge BERNARD A. FRIEDMAN, after being
remanded back from the Sixth Circuit.

3) That since remand, the plaintiff filed a motion for summary
judgment, motion for appointment of counsel, and motion to be

held in abeyance. All were denied by Judge Friedman.

4) That the plaintiff believes the judge before whom the matter is now pending clearly demonstrates bias and prejudice against him, and that the opinions and language contained in his rulings clearly favors the adverse party.

5) That the defendants filed a motion for deposition upon the plaintiff, and that the deposition was immediately granted without giving plaintiff opportunity to respond or oppose.

6) That in response to the deposition, the plaintiff filed a motion to stay and a request for a protective order.

7) That the deposition was held on September 13, 2017, and that the judge allowed the deposition to be made despite the plaintiff's pending motion to stay and request for a protective order.

8) That once again the prison is on lockdown and subject to frequent lockdowns for weeks at a time, and that during lockdowns inmates are denied access to the law library.

9) That the actions and/or inactions of this judge, especially in denying appointment of counsel, summary judgment, and abeyance, has severely prejudiced plaintiff's case and

deprives plaintiff of due process of law, Equal protection of the law, and his right to a fair and impartial trial.

10) Plaintiff believes that if this judge is allowed to continue, his prejudice and bias will cripple plaintiff's case to the point of disrepair.

Certificate of Counsel of (PRO SE) Record:

Plaintiff, Alexander Baxter, certifies that the foregoing has been made in good faith, and to the best of his knowledge, understanding, information and belief.

Declarant Further saith Naught.

Respectfully submitted,
Alex. L. Baxter 9-17-17

Certificate of Service

A true and exact copy has been forwarded to:

Melissa Roberge & Keli Oliver, Asst. Metro Attorneys
108 Metro Courthouse
P.O. Box 196300
Nashville, TN 37219-6300

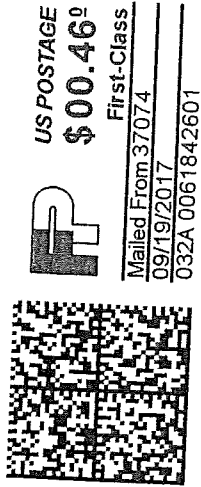
ALEXANDER BAXTER #145056
140 Macon Way
Hartsville, TN 37140

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U.S. DISTRICT COURT
MID. DIST. TENN.

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800 Broadway Street
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